

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
GAINESVILLE DIVISION

In Re:

HEO, INC.,

Debtor.

CHAPTER 11

CASE NO. 21-20173-JRS

JAE S. YOO and AH SA YOO,

Petitioners,

v.

**HYO SOOK HEO, aka HYO S. HEO,
UNION DRYVE, INC., a Tennessee
Corporation, HEO, INC., a Tennessee
Corporation, JOHN BYEONG II CHOI,
and MARIA MYUNGHEE CHOI**

Respondents.

State Court Case:

**CIRCUIT COURT OF SHELBY
COUNTY TENNESSEE
FOR THE THIRTIETH JUDICIAL
DISTRICT AT MEMPHIS,
CASE NO. CT-2849-19**

**ADVERSARY PROCEEDING
NO. 21-02032**

RESPONDENT'S MOTION FOR SUMMARY JUDGMENT

Respondent Heo, Inc. (the “**Respondent**”), by and through its undersigned counsel, pursuant to Federal Rule of Procedure 56, made applicable via Federal Rule of Bankruptcy Procedure 7056, moves the Court for summary judgment in favor of the Respondent and against Jae S. Yoo and Ah Sa Yoo (the “**Yooos**”) on all claims in the Amended Complaint filed on November 22, 2019 in the Circuit Court of Shelby County, Tennessee for the Thirtieth Judicial District at Memphis [Case No. CT-2849-19] (the “**Amended Complaint**”), which was subsequently removed and transferred to this Court [Adv. No. 21-2032, Doc. 1, 30].

In support of the Motion, the Respondent relies on the entire evidentiary record in this Adversary Proceeding, including but not limited to the following:

1. Respondent's Statement of Material Facts Not Genuinely in Dispute.
2. The Declaration of Hyo S. Heo and all other exhibits to the Respondent's Statement of Material Facts Not Genuinely in Dispute.
3. Respondent's Memorandum of Law in Support of Debtor's Motion for Summary Judgment.

The Respondent respectfully shows the Court that no genuine issue of material fact remains concerning the claims set forth in the Amended Complaint, and that the Debtor is entitled to judgment as a matter of law.

To the extent not all requested relief is granted by this Court, Debtor respectfully requests pursuant to Federal Rule of Civil Procedure 56(g) that the Court enter an order stating any material fact – including an item of damages or other relief – that is not genuinely in dispute and treating the fact as established in the case.

Dated: April 27, 2022

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/s/ Benjamin R. Keck

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